

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAVE THE SOUND and ATLANTIC CLAM FARMS OF CONNECTICUT, INC.,

Plaintiffs,

v.

WESTCHESTER COUNTY, NY; TOWN/VILLAGE OF HARRISON; VILLAGE OF LARCHMONT; TOWN OF MAMARONECK; CITY OF NEW ROCHELLE; VILLAGE OF PELHAM MANOR; CITY OF RYE; VILLAGE OF RYE BROOK; and VILLAGE OF SCARSDALE,

Defendants.

Case No. 7:15-cv-06323 (CS)

~~PROPOSED~~ ORDER OF VOLUNTARY DISMISSAL AS TO DEFENDANTS VILLAGE OF LARCHMONT, TOWN OF MAMARONECK, CITY OF NEW ROCHELLE, AND VILLAGE OF PELHAM MANOR

WHEREAS, Plaintiffs and Defendants Village of Larchmont, Town of Mamaroneck, City of New Rochelle, and Village of Pelham Manor (the “NRSD Defendants”) have advised the Court that, on January 18, 2024, they executed a settlement agreement resolving their disputes in this action (the “Settlement Agreement”), which was filed as Exhibit A to Plaintiffs’ consent motion for voluntary dismissal;

WHEREAS, the Settlement Agreement was submitted to the U.S. Environmental Protection Agency and U.S. Department of Justice for a forty-five (45) day review period pursuant to 33 U.S.C. § 1365(c)(3);

WHEREAS, the U.S. Department of Justice has advised the Court by letter that the United States does not object to the Settlement Agreement or to dismissal of this action as to the NRSD Defendants.

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, at Plaintiffs’ request and upon the consent of the NRSD Defendants, this action is hereby voluntarily

dismissed with prejudice as against Defendants Village of Larchmont, Town of Mamaroneck, City of New Rochelle, and Village of Pelham Manor.

2. The Court does not retain jurisdiction over Defendants Village of Larchmont, Town of Mamaroneck, City of New Rochelle, and Village of Pelham Manor.
3. This order of voluntary dismissal shall have no effect on the action as against any other Defendant or the Court's jurisdiction over such other Defendants.

Dated: March 8, 2024

So Ordered.



Cathy Seibel, U.S.D.J.

The Clerk shall terminate ECF No. 285.